

PTO/SD/96 (09/04)

Approved for use through 07/31/2006, OMB 0661-0031

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TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)

4001 017

In re Application of: Michael P. Kurtgis

Application No.: 10/619,096

Filed: 07/14/2003

For: METHOD FOR PROVIDING FALL PROTECTION FOR A LOAD IN AN ELEVATED ENVIRONMENT

The owner, Michael P. Kurtgis, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,604,712 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;

- is held unenforceable;

- is found invalid by a court of competent jurisdiction;

- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

- has all claims canceled by a reexamination certificate;

- is reissued; or

- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record. Reg. No. _____

Signature

Date

MICHAEL P. KURTGIS

Typed or printed name

(954) 584-7000

Telephone Number

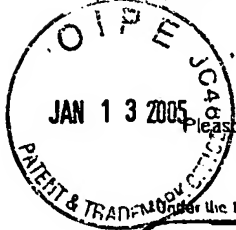
- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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This collection of information is required by 37 CFR 1.321. The information is required to obtain or claim a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SI/81 (02-01)

Approved for use through 10/31/2002. OMB 0851-0035

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/619,096
Filing Date	07/14/2003
First Named Inventor	Michael P. Kurtgis
Title	Method for providing ...
Group Art Unit	3644
Examiner Name	Shaw, Elizabeth Anne
Attorney Docket Number	4001.017

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Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SI/96).

SIGNATURE of Applicant or Assignee of Record

Name

MICHAEL P. KURTGIS

Signature

Date

01-07-2005

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